

REMARKS

The Applicant wishes to thank the Examiner for thoroughly reviewing and considering the pending application. The Office Action dated July 26, 2005 has been received and carefully reviewed. Claims 4-6, 9-14, and 18-20 have been canceled. Claims 1-3, 7, 8, and 15-17 are currently pending. Reexamination and reconsideration are respectfully requested.

The Office Action rejected claims 7, 8, and 15 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 1,550,700 to *Holub* (hereinafter "*Holub*"). The Applicant respectfully traverses this rejection.

As required in Chapter 2131 of the M.P.E.P., in order to anticipate a claim under 35 U.S.C. §102, "the reference must teach every element of the claim." The Applicant respectfully submits that *Holub* does not teach every element recited in claims 7, 8, and 15. Thus, *Holub* cannot anticipate these claims.

More specifically, claim 7 recites a clothes dryer which includes, among other features, "one or more holes configured to allow the air to directly flow into the mixing pipe from outside the clothes dryer, the one or more holes being provided at a bottom portion of the clothes dryer, wherein the one or more holes are provided at the bottom portion of the clothes dryer, in front of the inlet." *Holub* does not disclose these features.

The Office Action alleges that "one or more holes (on 52, see Fig. 2, also see page 5, line 21) configured to allow the air to directly flow into the mixing pipe from outside the clothes dryer same as claimed. The one or more holes are provided at a bottom portion 52 of the clothes dryer 2 and in front of inlet of the mixing pipe 28 (see Fig. 2)." *See e.g.*, the Office Action at page 2. The Applicant disagrees. Structure 52 in Figure 2 of *Holub* is metal platform having apertured side walls. However, no where does *Holub* teach or suggest that the apertures in the

side wall allow air to directly flow into a mixing pipe. Furthermore, nowhere does *Holub* disclose that the apertures are in front of an inlet. As such, the Applicant respectfully submits claim 7 is patentable over *Holub* and requests that the rejection be withdrawn. Likewise, claims 8 and 15, which depend from claim 7, are also patentable for at least the same reasons.

In addition, the Office Action rejected claim 16 under 35 U.S.C. § 103(a) as being unpatentable over *Holub* in view of U.S. Patent No. 1,799,649 to *Schenck* (hereinafter “*Schenck*”). The Applicant respectfully traverses the rejection.

As required in Chapter 2143.03 of the M.P.E.P., in order to “establish *prima facie* obviousness of the claimed invention, all the limitations must be taught or suggested by the prior art.” The Applicants respectfully submit that neither *Holub* nor *Schenck*, either singularly or in combination, disclose or suggest each and every element recited in claim 16. As previously discussed, *Holub* does not disclose each and every element recited in claim 7, the base claim from which claim 16 depends. Similarly, *Schenck* fails to address the previously noted shortcomings of *Holub*, namely a clothes dryer having “one or more holes configured to allow the air to directly flow into the mixing pipe from outside the clothes dryer, the one or more holes being provided at a bottom portion of the clothes dryer, wherein the one or more holes are provided at the bottom portion of the clothes dryer, in front of the inlet.” Accordingly, the Applicant submits that claim 16 is patentable over *Holub* in view of *Schenck* and request that the rejection be withdrawn.

The Office Action also rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over *Holub* in view of Figure 3 of the Applicant’s Related Art (hereinafter “the *ARA*”). The Applicant respectfully traverses the rejection. In particular, *Holub* does not disclose each and every element recited in claim 7, the base claim from which claim 17 depends. Similarly, the *ARA* fails to address the previously noted shortcomings of *Holub*. Thus, claim 17

is patentable over *Holub* in view of the *ARA* and the Applicant requests that the rejection be withdrawn.

Moreover, the Office Action rejected claims 1, 2, 5, 7, 8, 15, and 17 under 35 U.S.C. § 103(a) as being unpatentable over Figure 3 of the *ARA* in view of U.S. Patent Reissue No. 16,044 to *Campbell* (hereinafter “*Campbell*”) and U.S. Patent No. 1,500,094 to *Kee* (hereinafter “*Kee*”). The Applicants respectfully traverse the rejection.

None of the references, either singularly or in combination, disclose or suggest all the limitations recited in claims 1, 2, 5, 7, 8, 15, and 17. More specifically, claim 1 recites a clothes dryer comprising, among other features, a plurality of air holes in a bottom of a base adjacent “a front area of an inlet side of a mixing pipe.” In addition, claim 7 recites a clothes dryer which includes, among other features, one or more holes are provided at a bottom portion of a clothes dryer, “in front of the inlet.” The Applicants submit that neither of the references, either singularly or in combination, disclose or suggest air holes which are in front of an inlet.

Furthermore, there is no motivation to combine the references. In order to establish a prima facie case of obviousness, there must at least be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. See MPEP § 2142. Furthermore, the teaching or suggestion which results in the claimed combination must be found in the references themselves and not be based on the disclosure of the Applicant’s using improper hindsight. The references must expressly or impliedly suggest the claimed invention or the Office Action must have a convincing line of reasoning as to why one of ordinary skill in the art would have found the claimed invention obvious in light of the references in order to support the conclusion that the claimed invention is directed to obvious subject matter.

When the motivation to combine the references is not immediately apparent, the Office Action must explain why the combination of the teachings is proper. The fact that references may be combined does not render the resultant combination obvious unless the prior art suggests the desirability of the combination. See M.P.E.P. § 2143.01. Therefore, the fact that the references may indicate all aspects of the claimed invention were individually known in the art is not sufficient to establish a prima facie case of obviousness without some objective reason to combine the teachings of the reference.

In view of the above, and for the additional reasons set forth below, the Applicant respectfully submits that a prima facie case of obviousness has not been established with regard to the presently claimed invention.

Campbell relates to cabinet receptacles that occupy very little space. *See e.g.*, page 1, ll. 11-16. *Kee* relates to an invention which minimizes the contact between combustion elements and clothes. *See e.g.*, page 1, ll. 25-29. More specifically, *Kee* provides an appliance where only atmospheric air comes into contact with the clothes being dried. *Campbell* does not disclose or suggest the desirability of minimizing the contact between combustion elements and clothes being dried in a dryer that occupies very little space. Similarly, *Kee* does not disclose or suggest the desirability of minimizing the contact between combustion elements and clothes in a dryer that occupies little space. In fact, *Kee* teaches that a “substantial distance” is required between a bottom of a clothes chamber and a bottom of a casing. *See e.g.*, page 2, ll. 4-8. Thus, if anything, *Kee* teaches away from *Campbell* in that it teaches the use of a relatively large device rather than one that occupies very little space. Therefore, there would have been no motivation to combine these references as suggested by the Examiner.

Accordingly, the Applicant submits that claims 1, 2, 5, 7, 8, 15, and 17 are allowable over the cited references and requests that the rejection be withdrawn.

Additionally, the Office Action rejected claims 3, 6, and 16 under 35 U.S.C. § 103(a) as being unpatentable over Figure 3 of the *ARA* in view of *Campbell* and *Kee* as applied to claims 1 and 7 and further in view of *Schenck*. As discussed above, *Campbell* and *Kee* are not combinable. Furthermore, neither the *ARA* nor *Schenck*, either singularly or in combination, provide the motivation to combine *Campbell* and *Kee*. Thus, claims 3, 6, and 16 are patentable over the cited references and the Applicant requests that the rejection be withdrawn.

The application is in a condition for allowance and favorable action is respectfully solicited. If for any reason the Examiner believes a conversation with the Applicant's representative would facilitate the prosecution of this application, the Examiner is encouraged to contact the undersigned attorney at (202) 496-7500. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: November 28, 2005

Respectfully submitted,

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